GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM & FW Department – Sri A Gopal, Senior Assistant O/o.DM&HO, Nellore – Allegations on issue of violated the rules/procedure while issuing the compassionate appointment of Sri K.V.Mahesh Babu S/o. Late K.Prabhakar as Jr.Asst. and posted in the O/o. DM&HO, Nellore - Departmental Proceedings under rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Articles of charges – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.2) DEPARTMENT

G.O.Rt.No.714 **Dated:19.11.2020.**

Read the following:-

1. From the DPH&FW, AP, Vijayawada, Lr.Rc.No.9929/VC.II.B/2016, dt:27.12.2019.
2. Memo.No.2636060/B2/2019, dt.23.12.2019
3. Govt.Memo.No.21023/2020/VC.II.2-01, dt.31.01.2020.
4. From the DPH&FW, AP, Vijayawada, Lr.Rc.No.9929/VC.II.B/2016, dt:20.02.2020.

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O R D E R:

It is proposed to hold an enquiry against Sri A.Gopal, Senior Assistant O/o.DM&HO, Nellore in accordance with the procedure laid down under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and list of witness by whom the articles of charges are proposed to be sustained are also enclosed in (Annexure-II, III & IV).

3. Sri A.Gopal, Senior Assistant O/o.DM&HO, Nellore is directed to submit his written statement of defence within (15) days of the receipt of this order.

4. Sri A.Gopal, Senior Assistant O/o.DM&HO, Nellore is informed that an inquiry will be held only in respect of the article of charge as is not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri A.Gopal, Senior Assistant O/o.DM&HO, Nellore is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above, further action will be processed based on the material available.

6. The attention of Sri A.Gopal, Senior Assistant O/o.DM&HO, Nellore is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings. It will be presumed that he is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri A.Gopal, Senior Assistant O/o.DM&HO, Nellore through
the Director of Public Health & Family Welfare, Gollapudi, A.P, Vijayawada.
(2 copies for service and return).
The Director of Public Health & Family Welfare, Gollapudi, A.P, Vijayawada.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE -I

(Annexure to G.O.Rt.No.714 , HM&FW(VC.II.2) Dept, dt.19.11.2020.)

ARTICLES OF CHARGE FRAMED AGAINST SRI A.GOPAL SENIOR ASSISTANT O/O.DM&HO, NELLORE.

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CHARGE

That, Sri A Gopal, Senior Assistant O/o.DM&HO, Nellore who has violated the rules / procedure mentioned in G.O.Ms.No.165 GA(Ser.A) Dept, dt.20.03.1989 and without obtaining permission from the Govt. for relaxation of age, involved in the appointment of Sri K.V. Mahesh Babu, S/o Late Sri K. Prabhakar, on compassionate grounds, as Jr. Asst., and posting at O/o the DM&HO Nellore .

Thereby he/she failed to maintain absolute integrity, discipline and devotion to duty and exhibited behavior unbecoming of a Government Servant and violated Rule-3 of APCS (Conduct) Rules, 1964.

ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

(Annexure to G.O.Rt.No.714 , HM&FW(VC.II.2) Dept, dt.19.11.2020.)

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI A GOPAL SENIOR ASSISTANT O/O.DM&HO, NELLORE.

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CHARGE:

That, Sri A Gopal, Senior Assistant O/o.DM&HO, Nellore who has violated the rules / procedure mentioned in G.O.Ms.No.165 GA(Ser.A) Dept, dt.20.03.1989 and without obtaining permission from the Govt. for relaxation of age, involved in the appointment of Sri K.V. Mahesh Babu, S/o Late Sri K. Prabhakar, on compassionate grounds, as Jr. Asst., and posting at O/o the DM&HO Nellore .

Thereby he/she failed to maintain absolute integrity, discipline and devotion to duty and exhibited behavior unbecoming of a Government Servant and violated Rule-3 of APCS (Conduct) Rules, 1964.

BASIS OF THE CHARGE:

It was come to the notice of the undersigned that Sri K.Prabhakar, Driver, M.M.Unit, Kavili, S.P.S.R.Nellore District has expired on 16.04.2009 while in service. His son Sri K.Venkata Mahesh Babu represented for providing appointment on compassionate grounds. His date of birth is 28.10.1993 and he is having 15 years 5 months and 18 days as on his father death. His request was rejected by the DM&HO, Nellore as he was below age of 18 years. Further the individual represented directly the Govt., for providing compassionate appointment. Further the individual filed O.A No. 8214 of 2013 in the Hon'ble, A.P Administrative Tribunal, Hyderabad and got the following interim orders.

" Pending disposal of the O.A the impugned proceedings issued vide Rc.No.4152/E2/2009 Dated 26.02.2011 by the 2nd respondent (DM&HO, Nellore) are suspended with a direction to the respondents to consider the case of the applicant for compassionate appointment keeping in view of the Analog issue in G.O.Rt.No.366, Dated 13.03.2012 Health Medical and Social Welfare Department and pass appropriate orders within a period of six weeks from the date of receipt of the copy of this order"

Accordingly, the DM&HO, Nellore issued compassionate appointment to Sri K.V. Mahesh Babu S/o Late Sri K. Prabhakar and posted as Jr., Asst., in the 0/o the DM&HO, Nellore District without obtaining permission from the Government for relaxation of age and violated the rules/ procedures mentioned in GO.Ms.No.165 GAD (Ser.A) Dept., Dated 23.03.1989.

Thus, he is liable for disciplinary action.

ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –III

(Annexure to G.O.Rt.No.714 , HM&FW(VC.II.2) Dept, dt.19.11.2020.)

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI A GOPAL SENIOR ASSISTANT O/O.DM&HO, NELLORE.

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1. Govt. Memo No. 2636060/62/2019 dt. 26.06.2019 of HM&FW (B2) Department
2. Rc.No.2832/E4/2014 dt.19.11.2019 of the DM&HO, SPSR Nellore.
3. Govt.Memo.21023/1/2020-VC.II.2-01 HM&FW(VC.II.I) Dept., Dated 31.01.2020.

ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –IV

(Annexure to G.O.Rt.No.714, HM&FW(VC.II.2) Dept, dt.19.11.2020.)

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI A GOPAL SENIOR ASSISTANT O/o. DM&HO, NELLORE.

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ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER